

# PATENT COOPERATION TREATY

From the  
INTERNATIONAL SEARCHING AUTHORITY

## PCT

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

03 MAR 2005

<b>To:</b> HAROLD V. STOTLAND SEYFARTH SHAW LLP 55 EAST MONROE STREET SUITE 4200 CHICAGO, IL 60603-5803			Date of mailing (day/month/year)
Applicant's or agent's file reference  400291			<b>FOR FURTHER ACTION</b> See paragraph 2 below
International application No.  PCT/US04/23806	International filing date (day/month/year)  21 July 2004 (21.07.2004)	Priority date (day/month/year)  21 July 2003 (21.07.2003)	
International Patent Classification (IPC) or both national classification and IPC  IPC(7): B29C 33/10 and US Cl.: 264/570; 425/503, 812			
Applicant  PRICONE, ROBERT, M.			

1. This opinion contains indications relating to the following items:

- ☒ Box No. I      Basis of the opinion
- ☐ Box No. II      Priority
- ☐ Box No. III      Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV      Lack of unity of invention
- ☒ Box No. V      Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI      Certain documents cited
- ☐ Box No. VII      Certain defects in the international application
- ☐ Box No. VIII      Certain observations on the international application

### 2. FURTHER ACTION

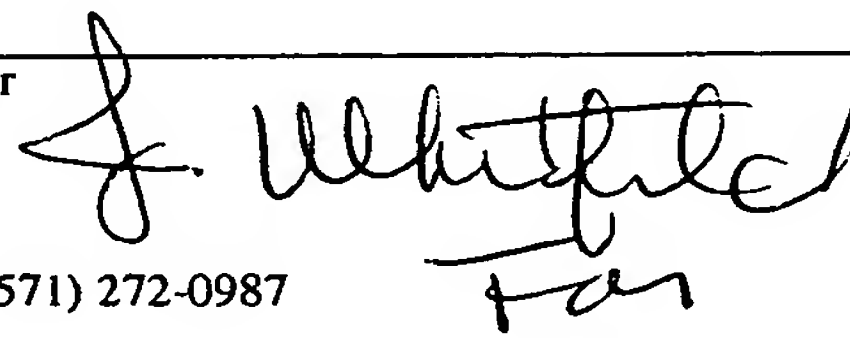
If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/ US Mail Stop PCT, Attn: ISA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (703) 305-3230	Authorized officer Ben Utech Telephone No. (571) 272-0987
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 For

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.  
PCT/US04/23806

**Box No. V Reasoned statement under Rule 43 *bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

**1. Statement**

Novelty (N)

Claims <u>1-43</u>	YES
Claims <u>NONE</u>	NO

Inventive step (IS)

Claims <u>1-43</u>	YES
Claims <u>NONE</u>	NO

Industrial applicability (IA)

Claims <u>1-43</u>	YES
Claims <u>NONE</u>	NO

**2. Citations and explanations:**

Claims 1-42 meets the criteria set out in PCT Article 33(2)-(3), because the prior art does not teach or fairly suggest at least on bore having a cavity defining shape of microneedle with the bore having an inlet opening and outlet opening and means for introducing fluid into the inlet opening and exhaust means communicating with the exit opening of the bore.

Claim 43 meets the criteria set out in PCT Article 33(2)-(3), because the prior art does not teach or fairly suggest at two flexible and permeable belt-like member, the second belt having needle-like cavities that exhaust the gas from means from generating gas under through the first belt and the gas past the second belt.

Claims 1-43 meets the criteria set out in PCT Article 33(4), and thus has industrial applicability because the subject matter claimed can be made or used in industry.

## PATENT COOPERATION TREATY

RECEIVED

From the INTERNATIONAL SEARCHING AUTHORITY

MAR 07 2005

To:  
HAROLD V. STOTLAND  
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CHICAGO, IL 60603-5803

PCT S.S.F. &amp; G.

NOTIFICATION OF TRANSMITTAL OF  
THE INTERNATIONAL SEARCH REPORT AND  
THE WRITTEN OPINION OF THE INTERNATIONAL  
SEARCHING AUTHORITY, OR THE DECLARATION

(PCT Rule 44.1)

Date of mailing  
(day/month/year)

03 MAR 2005

Applicant's or agent's file reference  
400291

FOR FURTHER ACTION See paragraphs 1 and 4 below

International application No.  
PCT/US04/23806

International filing date  
(day/month/year) 21 July 2004 (21.07.2004)

Applicant  
PRICONE, ROBERT, M.

1. ☐ The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.
- Filing of amendments and statement under Article 19:**  
The applicant is entitled, if he so wishes, to amend the claims of the international application (see Rule 46):
- When?** The time limit for filing such amendments is normally two months from the date of transmittal of the international search report.
- Where?** Directly to the International Bureau of WIPO, 34 chemin des Colombettes  
1211 Geneva 20, Switzerland, Facsimile No.: +41 22 740 14 35
- For more detailed instructions, see the notes on the accompanying sheet.
2. ☐ The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.
3. ☐ With regard to the protest against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:
- ☐ the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.
- ☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

## 4. Reminders

Shortly after the expiration of 18 months from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90bis.1 and 90bis.3, respectively, before the completion of the technical preparations for international publication.

The applicant may submit comments on an informal basis on the written opinion of the International Searching Authority to the International Bureau. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established. These comments would also be made available to the public but not before the expiration of 30 months from the priority date.

Within 19 months from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until 30 months from the priority date (in some Offices even later); otherwise, the applicant must, within 20 months from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices.

In respect of other designated Offices, the time limit of 30 months (or later) will apply even if no demand is filed within 19 months.

See the Annex to Form PCT/IB/301 and, for details about the applicable time limits, Office by Office, see the *PCT Applicant's Guide*, Volume II, National Chapters and the WIPO Internet site.

Name and mailing address of the ISA/ US  
Mail Stop PCT, Attn: ISA/US  
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Authorized officer

Ben Utech

Telephone No. (571) 272-0987

Form PCT/ISA/220 (January 2004)

BY

DATE

BY

DATE

DATE

DATE

Art. 19 Amendment due - 5/3/2005  
Resp. to Written Opinion due - 6/3/2005